

Notice of Allowability

Application No.

10/603,394

Examiner

Helene Klemanski

Applicant(s)

REHMAN, ZIA

Art Unit

1793

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The RCE and IDS filed December 27, 2007.
2. ☒ The allowed claim(s) is/are 1-4,6-17 and 19-25.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date 12/27/07
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☒ Interview Summary (PTO-413),
Paper No./Mail Date 20071230
7. ☒ Examiner's Amendment/Comment

8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Helene Klemanski
HELENE KLEMANSKI
PRIMARY EXAMINER
GROUP 1700

EXAMINER'S COMMENT

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after allowance or after an Office action under *Ex Parte Quayle*, 25 USPQ 74, 453 O.G. 213 (Comm'r Pat. 1935). Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's IDS submission filed on 27 December 2007 has been entered.
2. The previously made Examiner's Amendment appears below since applicant has not provided a current complete listing of the claims reflecting the changes made by the previous Examiner's Amendment with the request for continued examination.

EXAMINER'S AMENDMENT

3. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Gary P. Oakeson on September 12, 2007.

The application has been amended as follows:

In claim 1, line 5, the term "ii)" has been replaced with the term "iii)".

Also in claim 1, line 5, the phrase "in a zwitterionic state" has been inserted between the term "amino" and the comma.

Further in claim 1, line 6, the term "iii)" has been replaced with the term "iv)".

Lastly in claim 1, line 6, the phrase "in a zwitterionic state" has been inserted between the term "surfactant" and the semi-colon.

In claim 4, delete line 5 in its entirety and replace with the phrase "cocoamphopropionates, sulfobetaines, alkyl amine dicarboxylates, polyglycol ether".

Also in claim 4, delete line 9 in its entirety and replace with the phrase "cocoamphodiacetates, alkyliminodipropionates,".

In claim 7, line 2, a period has been inserted after the term "wt%".

In claim 13, line 7, the term "ii)" has been replaced with the term "iii)".

Also in claim 13, line 7, the phrase "in a zwitterionic state" has been inserted between the term "amino" and the comma.

Further in claim 13, line 8, the term "iii)" has been replaced with the term "iv)".

Lastly in claim 13, line 8, the phrase "in a zwitterionic state" has been inserted between the term "surfactant" and the semi-colon.

In claim 17, delete line 4 in its entirety and replace with the phrase "cocohydroxysulfo betaines, cocoamphodipropionates, cocoamphopropionates,".

Also in claim 17, delete line 9 in its entirety and replace with the phrase "cocoamphodiacetates, alkyliminodipropionates,".

In claim 20, line 2, a period has been inserted after the term "wt%".

Reasons For Allowance

4. The following is an examiner's statement of reasons for allowance: This application teaches a black ink-jet ink comprising: (a) a liquid vehicle including (i) water, (ii) a cosolvent, (iii) a solubilized naturally occurring amino acid in a zwitterionic state, and (iv) from 0.01 wt% to 2 wt% of an amphoteric surfactant in a zwitterionic state; and (b) a black colorant solubilized or dispersed in the liquid vehicle, such that the black ink-jet ink has improved optical density on bright white paper or improved bleed control when printed against a non-reactive color ink-jet ink on bright white paper, both when compared to a similar black ink-jet ink being identical to the black ink-jet ink except that it is devoid of the naturally occurring amino acid in favor of added water and a method for printing the above black ink-jet ink. The closest prior art is US Patent No. 5,507,865, issued to Yoshida et al., which teaches an aqueous ink jet ink composition comprising 0.1-20% by weight of a water-soluble dye, preferably a black dye, 0.01-20% by weight of a basic amino acid such as arginine, lysine, histidine, ornithine and derivatives thereof, water and optionally an additive such as surfactants which may be added for their normal functions but fails to teach or fairly suggest that both the amino acid and the surfactant are present in the zwitterionic state as claimed by applicants. Accordingly, this application is allowable.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Helene Klemanski whose telephone number is (571) 272-1370. The examiner can normally be reached on Monday-Friday 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jerry Lorengo can be reached on (571) 272-1233. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


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HK
December 30, 2007